

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA) **Crim. No. 20-MJ-03061-KAR**
)
)
v.)
)
)
JOHN MICHAEL RATHBUN,)
)
Defendant.)

**GOVERNMENT'S MOTION FOR PRETRIAL DETENTION
OF DEFENDANT PURSUANT TO 18 U.S.C. §§ 3142(e) and (f)**

The United States moves for pretrial detention of defendant, pursuant to 18 U.S.C. §§ 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because it involves (check all the apply):

XXX Crime of violence (18 U.S.C. §§ 3142(f)(1)(A) and 3156)

___ Maximum sentence life imprisonment or death (18 U.S.C. § 3142(f)(1)(B))

___ 10 plus years drug offense (18 U.S.C. § 3142(f)(1)(C))

___ Felony, with two prior convictions in above categories (18 U.S.C. § 3142(f)(1)(D))

___ Felony involving possession of firearm / destructive device (18 U.S.C. § 3142(f)(1)(E))

XXX Serious risk defendant will flee (18 U.S.C. § 3142(f)(2)(A))

___ Serious risk of obstruction of justice

2. Reason for Detention. The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

XXX Defendant's appearance as required

XXX Safety of any other person and the community

3. Rebuttable Presumption. None.

4. Time for Detention Hearing. The United States requests the court conduct the detention hearing after three days. 18 U.S.C. § 3142(f).

5. Witnesses.

The United States intends to proceed by proffer and affidavit of Special Agent Ryan McGonicle.

6. Other Matters.

None.

DATED: April 15, 2020

Respectfully submitted,

ANDREW E. LELLING
UNITED STATES ATTORNEY

By: Steven H. Breslow
STEVEN H. BRESLOW
Assistant United States Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts

April 15, 2020

I, Steven H. Breslow, Assistant U.S. Attorney, hereby certify that the foregoing was filed by ECF and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Steven H. Breslow

STEVEN H. BRESLOW

Assistant United States Attorney